

Message Text

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ACTION EUR-12

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INFO SECSTATE WASHDC IMMEDIATE 3599
AMEMBASSY BERLIN UNN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO

C O N F I D E N T I A L USBERLIN 2700

E.O.11652: GDS
TAGS: PFOR, EAIR, WB, US, GE, UK, FR
SUBJECT: GDR REQUEST FOR INTERFLUG OFFICE IN WEST BERLIN

1. SUMMARY: ALLIED MISSIONS IN BERLIN WISH TO TURN DOWN
GDR REQUEST TO OPEN INTERFLUG OFFICE IN BERLIN, MAKING
USE OF BK/O(62)5 TO DO SO. END SUMMARY.

2. AT TWO RECENT KUNZE/MITDANK MEETINGS, MITDANK (GDR
FONOFF) STATED THAT GDR WISHED TO OPEN OFFICE OF GDR
NATIONAL AIRLINE INTERFLUG IN WEST BERLIN ON OR ABOUT
JANUARY 1, 1977. HE ASKED KUNZE TO PROVIDE THE NECES-
SARY APPROVAL.

3. SENAT AND ALLIED MISSIONS ARE IN AGREEMENT THAT THERE
IS NO CONCEIVABLE BENEFIT TO BE DRIVED FROM HAVING
AN INTERFLUG OFFICE IN WEST BERLIN WHICH COULD ONLY
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DIVERT PASSENGERS FROM ALLIED AIR SERVICES AT TEGEL.
HOWEVER, WHEN SENAT RESEARCHED APPLICABLE GERMAN LEGIS-
LATION, IT FOUND THERE WERE NO GOOD LEGAL MEANS AT DISPOSAL
OF GERMANS WITH WHICH TO PROHIBIT OPENING OF
INTERFLUG OFFICE. ALTHOUGH MITDANK DID NOT STATE
EXACTLY WHAT CORPORATE STATUS THE INTERFLUG OFFICE

MIGHT HAVE, IF INTERFLUG COMPLIED WITH GERMAN LEGAL REQUIREMENTS FOR ANY OF SEVERAL TYPES OF ORGANIZATION IT MIGHT CHOOSE, SENAT WOULD PROBABLY BE POERLESS TO PREVENT IT FROM OPENING.

4. BECAUSE OF THIS GERMAN LEGAL INALBILITY TO PREVENT FIRMS FROM ESTABLISHING THEMSELVES IF THEY MEET RELATIVELY SIMPLE LEGAL REQUIREMENTS, ALLIES IN 1962 PASSED LEGISLATION (BK/O(62)5) WHICH PERMITTED SENAT TO UNDERTAKE A VARIETY OF ACTION AGAINST ANY FIRM "WHOSE ACTIVITIES ARE CAPABLE OF IMPAIRING THE ECONOMICAL, CULTURAL OR POLITICAL LIFE OF WEST BERLIN." THIS BK/O PERMITS THE "COMPETENT SENAT AUTHORITY" TO DECIDE WHETHER OR NOT AN ENTERPRISE MAY CONTINUE ITS ACTIVITY; SENAT CAN ALSO PROHIBIT SUCH AN ENTERPRISE FROM STARTING. THE ACCOMPANYING BK/L(62)18 REQUIRES THE SENAT TO OBTAIN THE PRIOR AGREEMENT OF THE ALLIED KOMMANDATURA BEFORE THE PROVISIONS OF BK/O(62)5 AR APPLIED.

5. ALLIED MISSIONS HERE ARE IN AGREEMENT THAT THE SENAT REQUEST TO APPLY BK/O(62)5 TO THE GDR REQUEST SHOULD BE APPROVED. THERE IS NO COMPENSATION IN THE WORKS THAT WE KNOW OF TO COUNTER-BALANCE THE FACT THAT AN INTERFLUG OFFICE WOULD DETRACT FROM THE VIABILITY OF ALLIED AIR SERVICES IN THE CITY. THERE ARE TODAY A NUMBER OF TRAVEL AGENTS IN WEST BERLIN WHO SEEL TICKETS FOR INTER-FLUG FLIGHTS FROM SCHOENEFELD SO THAT THERE IS NO NECESSITY FOR SUCH AN OFFICE. A SECONDARY CONSIDERATION IS OF COURSE THE DISTINCT POSSIBILITY THAT THE CONFIDENTIAL

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GDR WOULD STAFF ANY SUCH OFFICE WITH INTELLIGENCE AGENTS. IT IS BARELY POSSIBLE OF COURSE THAT THE GDR MIGHT RETALIATE IN SOME WAY FOR OUR TURNDOWN BUT WE FEEL THAT AS IN SO MANY SIMILAR ISSUES, THIS IS A RISK WE AND THE SENAT MUST TAKE.

6. ACTION REQUESTED: THAT ALLIED EMBASSIES IN BONN DISCUSS THE ALLIED INTENTION OF USING BK/O(62)5 AGAINST AN INTERFLUG OFFICE AND PROVIDE AUTHORIZATION TO DO SO IN VIEW OF THE POSSIBLE LINK BETWEEN SUCH A STEP AND BROADER INNER-GERMAN CONSIDERATIONS BEING CONSIDERED IN BONN GROUP.

7. NOTE: GDR IS INTENT UPON INCREASING THE USE OF SCHOENEFELD ACROSS THE BOARD AS THE RECENT EXPOSURE OF THEIR REQUEST TO OVERFLY THE FRG FOR A PROPOSED SCHEDULED SERVICE TO ZURICH ATTESTS. MOST RECENT STRAW IN THE WIND WAS REPORT BY BRITISH DEPUTY POLAD WHO SAID

GDR HAS PUT OUT FEELERS FOR CHARTER FLIGHTS BETWEEN
SCHOENEFELD AND LONDON. HE PROMISED MORE DETAILS ON
THOSE FEELERS IN THE NEXT FEW DAYS. GEORGE

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